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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant : Makin et al.  
Application No.: 10/825,952  
Filed : April 16, 2004  
Title : MEDICAL SYSTEM HAVING MULTIPLE ULTRASOUND  
TRANSDUCERS OR AN ULTRASOUND TRANSDUCER AND  
AN RF ELECTRODE  
Docket : END-5311  
Art Unit : 3737

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Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56, the Examiner's attention is directed to the references listed on the attached Information Disclosure Citation. Copies of all foreign patent references and non-patent literature references are provided herewith.

It is to be understood that the present submission of art is in no way intended to be a waiver of any arguments or defenses available to the applicant under the rules of the U.S. Patent and Trademark Office and the statutes of the United States.

No fee is required. However, the Commissioner is authorized to charge any additional fee required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted,

Date: July 7, 2004

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STATEMENT BY APPLICANT**  
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Sheet 1 of 1

*Application Number* 10/825,952*Filing Date* 4/16/04*First Named Inventor* Inder Raj S. Makin*Group Art Unit* 3737*Examiner Name**Attorney Docket Number* END-5311**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. 1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Kind Code <sup>2</sup> Number (if known)				
		Re33,590		Dory	5/21/91	ALL
		4,315,514		Drewes et al.	2/16/82	ALL
		4,323,077		Smith	4/6/82	ALL
		4,484,569		Driller et al.	11/27/84	ALL
		4,646,756		Watnough et al.	3/3/87	ALL
		4,757,820		Itoh	7/19/88	ALL
		4,787,394		Ogura	11/29/88	ALL
		4,818,954		Flachenecker et al.	4/4/89	ALL
		4,858,613		Fry et al.	8/22/89	ALL
		4,932,414		Coleman et al.	6/12/90	ALL
		4,951,653		Fry et al.	8/28/90	ALL
		4,955,365		Fry et al.	9/11/90	ALL
		4,955,366		Uchiyama et al.	9/11/90	ALL
		4,960,107		Aida et al.	10/2/90	ALL
		4,984,575		Uchiyama et al.	1/15/91	ALL
		4,986,275		Ishida et al.	1/22/91	ALL
		5,015,929		Cathignol et al.	5/14/91	ALL
		5,036,855		Fry et al.	8/6/91	ALL
		5,054,470		Fry et al.	10/8/91	ALL
		5,065,740		Itoh	11/19/91	ALL
		5,078,144		Sekino et al.	1/7/92	ALL
		5,080,101		Dory	1/14/92	ALL
		5,080,102		Dory	1/14/92	ALL



	5,095,907	Kudo et al.	3/17/92	ALL
	5,143,073	Dory	9/1/92	ALL
	5,143,074	Dory	9/1/92	ALL
	5,149,319	Unger	9/22/92	ALL
	5,150,711	Dory	9/29/92	ALL
	5,150,712	Dory	9/29/92	ALL
	5,158,070	Dory	10/27/92	ALL
	5,158,071	Umemura et al.	10/27/92	ALL
	5,203,333	Nomura	4/20/93	ALL
	5,209,221	Riedlinger	5/11/93	ALL
	5,240,005	Viebach	8/31/93	ALL
	5,295,484	Marcus et al.	3/22/94	ALL
	5,304,115	Pflueger, Russell et al.	4/19/94	ALL
	5,311,869	Okazaki	5/17/94	ALL
	5,354,258	Dory	10/11/94	ALL
	5,391,140	Schaetzle et al.	2/21/95	ALL
	5,391,197	Burdette et al.	2/21/95	ALL
	5,402,792	Kimura	4/4/95	ALL
	5,409,002	Pell	4/25/95	ALL
	5,431,663	Carter	7/11/95	ALL
	5,435,304	Oppelt et al.	7/25/95	ALL
	5,435,311	Umemura et al.	7/25/95	ALL
	5,443,069	Schaetzle	8/22/95	ALL
	5,448,994	Iinuma	9/12/95	ALL
	5,471,988	Fujio et al.	12/5/95	ALL
	5,474,071	Chapelon et al.	12/12/95	ALL
	5,485,839	Aida et al.	1/23/96	ALL
	5,492,126	Hennige et al.	2/20/96	ALL
	5,514,130	Baker	5/7/96	ALL
	5,520,188	Hennige et al.	5/28/96	ALL
	5,522,869	Burdette et al.	6/4/96	ALL
	5,524,620	Rosenschein	6/11/96	ALL
	5,526,815	Granz et al.	6/18/96	ALL
	5,526,822	Burbank et al	6/18/96	ALL
	5,540,656	Pflueger et al.	7/30/96	ALL

		5,545,195		Lennox et al.	8/13/96	ALL
		5,549,638		Burdette	8/27/96	ALL
		5,569,241		Edwards	10/29/96	ALL
		5,571,088		Lennox et al.	11/5/96	ALL
		5,573,497		Chapelon	11/12/96	ALL
		5,575,772		Lennox	11/19/96	ALL
		5,575,789		Bell et al.	11/19/96	ALL
		5,582,588		Sakurai et al.	12/10/96	ALL
		5,588,432		Crowley	12/31/96	ALL
		5,590,657		Cain et al.	1/7/97	ALL
		5,601,526		Chapelon et al.	2/11/97	ALL
		5,620,479		Diederich	4/15/97	ALL
		5,624,382		Oppelt et al.	4/29/97	ALL
		5,628,743		Cimino	5/13/97	ALL
		5,643,179		Fujimoto	7/1/97	ALL
		5,649,547		Ritchart et al.	7/22/97	ALL
		5,665,054		Dory	9/9/97	ALL
		5,666,954		Chapelon et al.	9/16/97	ALL
		5,676,692		Sanghvi et al.	10/14/97	ALL
		5,687,729		Schaetzle	11/18/97	ALL
		5,694,936		Fujimoto et al.	12/9/97	ALL
		5,697,897		Buchholtz et al.	12/16/97	ALL
		5,699,804		Rattner	12/23/97	ALL
		5,703,922		Rattner	12/30/97	ALL
		5,720,287		Chapelon et al.	2/24/98	ALL
		5,722,411		Suzuki et al.	3/3/98	ALL
		5,728,062		Briskin	3/17/98	ALL
		5,733,315		Burdette et al.	3/31/98	ALL
		5,735,280		Sherman et al.	4/7/98	ALL
		5,735,796		Granz et al.	4/7/98	ALL
		5,738,635		Chapelon et al.	4/14/98	ALL
		5,743,862		Izumi	4/28/98	ALL
		5,743,863		Chapelon	4/28/98	ALL
		5,746, 224		Edwards	5/5/98	ALL
		5,759,162		Oppelt et al.	6/2/98	ALL

		5,762,066		Law et al.	6/9/98	ALL
		5,769,086		Ritchart et al.	6/23/98	ALL
		5,769,790		Watkins et al.	6/23/98	ALL
		5,785,705		Baker	7/28/98	ALL
		5,788,636		Curley	8/4/98	ALL
		5,800,379		Edwards	9/1/98	ALL
		5,807,308		Edwards	9/15/98	ALL
		5,817,021		Reichenberger	10/6/98	ALL
		5,817,049		Edwards	10/6/98	ALL
		5,820,580		Edwards et al.	10/13/98	ALL
		5,823,962		Schaetzle et al.	10/20/98	ALL
		5,836,896		Rosenschein	11/17/98	ALL
		5,840,031		Crowley	11/24/98	ALL
		5,860,974		Abele	1/19/99	ALL
		5,873,828		Fujio et al.	2/23/99	ALL
		5,873,845		Cline et al.	2/23/99	ALL
		5,873,902		Sanghvi et al.	2/23/99	ALL
		5,882,302		Driscoll, Jr. et al.	3/16/99	ALL
		5,895,356		Andrus et al.	4/20/99	ALL
		5,897,495		Aida et al.	4/27/99	ALL
		5,928,169		Schatzle et al.	7/27/99	ALL
		5,938,600		Van Vaals et al.	8/17/99	ALL
		5,938,608		Bieger et al.	8/17/99	ALL
		5,944,663		Kuth et al.	8/31/99	ALL
		5,964,755		Edwards	10/12/99	ALL
		5,984,881		Ishibashi et al.	11/16/99	ALL
		5,984,882		Rosenschein et al.	11/16/99	ALL
		5,993,389		Driscoll, Jr. et al.	11/30/99	ALL
		6,004,269		Crowley et al.	12/21/99	ALL
		6,007,499		Martin et al.	12/28/99	ALL
		6,024,718		Chen et al.	2/15/00	ALL
		6,024,740		Lesh et al.	2/15/00	ALL
		6,039,689		Lizzi	3/21/00	ALL
		6,042,556		Beach et al.	3/28/00	ALL
		6,050,943		Slayton et al.	4/18/00	ALL

		6,066,123		Li et al.	5/23/00	ALL
		6,071,238		Chapelon et al.	6/6/00	ALL
		6,071,239		Cribbs et al.	6/6/00	ALL
		6,083,159		Driscoll, Jr. et al.	7/4/00	ALL
		6,086,535		Ishibashi et al.	7/11/00	ALL
		6,088,613		Unger	7/11/00	ALL
		6,106,517		Zupkas	8/22/00	ALL
		6,113,558		Rosenschein et al.	9/5/00	ALL
		6,117,101		Diederich et al.	9/12/00	ALL
		6,135,963		Haider	10/24/00	ALL
		6,135,971		Hutchinson et al.	10/24/00	ALL
		6,210,330		Tepper	4/3/01	ALL
		6,352,532		Kramer et al.	3/5/02	ALL
		6,371,903		Blanc et al.	4/16/02	ALL
		6,379,320		Lafon et al.	4/30/02	ALL
		6,599,245		Ma et al.	7/29/03	ALL
		2003/0018266		Makin et al.	1/23/03	ALL
		2004/0006336		Swanson	1/8/04	ALL

#### FOREIGN PATENT DOCUMENTS

Examin er Initials	Cit e No . <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup> KindCode <sup>5</sup>	Number <sup>4</sup>					
		JP	10-14967		Shimadzu Corp.	1/20/98	ALL	
		WO	01/45550	A2	Therus Corporation	6/28/01	ALL	
Exami ner Signat ure						Date Consider ed		

#### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		HILL, C.R. et al., Lesion Development In Focused Ultrasound Surgery: A General Model, Ultrasound in Med. & Biol., 1994, pp. 259-269, Vol. 20, No. 3, Elsevier Science Ltd, New York, USA	
		CLARE, M.C. et al., MRI Guided Focused Ultrasound Surgery (FUS) of uterine leiomyomas: A Feasibility Study, Workshop on MRI-Guided: Focused Ultrasound Surgery, 2002, Syllabus, International Society for Magnetic Resonance in	

		Medicine	
		VAEZY, S. et al., Treatment Of Uterine Fibroid Tumors In A Nude Mouse Model Using High-Intensity Focused Ultrasound, Am J Obstet Gynecol, 2000, pp. 6-11, Vol. 183, No. 1	
		Cool-tip™ RF Radio Frequency Ablation System, web page from radionics.com	
		Electrosurgical Devices, RF Generator and RITA Base Software, web pages from ritamedical.com	

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609.

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/825,952
	Filing Date	April 16, 2004
	First Named Inventor	Inder Raj S. Makin
	Art Unit	3737
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	END-5311

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s) 5 sheets; Figs. 1-10	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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Firm or Individual name	Thompson Hine LLP 2000 Courthouse Plaza N.E., 10 West Second Street Dayton, Ohio 45402-1758
Signature	<i>Douglas E. Erickson</i>
Date	7/7/04

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